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PART--I-- Orders and Notifications by the Government of Tripura, The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT
(EXCISE & TAXATION)

No. F. IV - 5 (5) - EX / 17 **Dated, Agartala the 19 / 08 / 2019**

NOTIFICATION

In exercise of power conferred under Section 18 read with Section 36 of the Tripura Excise Act, 1987, State Government issues following policy/guidelines for grant of Bar license in the State of Tripura:-

2. **Definition:**

"Bar" means a privilege granted to an establishment, for sale of India Made Foreign Liquor (IMFL), Foreign Made Foreign Liquor (FMFL), Beer or any other intoxicant as per Tripura Excise Act & Rules, in loose for consumption on licensed premises.

3. **Preconditions for grant of license:**

I. Applicant should be at least 21 years of age.

II. Applicant may file applications for grant of bar license in prescribed format before the concerned Collector of Excise.

III. The Collector after receipt of the application will get the facts of the applications enquired by an officer not below the rank of Sub-Inspector of Excise.

IV. Applicant should not have been convicted by a criminal court of any offence. In this regard, an affidavit from the competent authority to be submitted by the applicant.

V. Applicant should not be a defaulter in the payment of Excise revenue to the State Government. In this regard, necessary enquiry shall be done by the Collector of Excise.

VI. Applicant should submit the following documents for grant of BAR license :

a. Trade license.

b. Food license.

c. Fire Services clearance.

d. GST Registration.

e. Professional Tax Clearance Certificate.

f. Copy of Aadhaar Card of the applicant.

g. Detailed particulars of the location such as Plot No. and mouza/holding no. and street name, name of the Ward, police station, name of the municipality and PIN Code.

h. Documents in respect of the right, title and interest of the applicant(s) if the premises are owned by the applicant.

i. Four copies of the blue print plan of the pucca construction site plan of BAR duly signed by the applicant(s), showing the layout of the site, seating arrangement, toilet, rest room, bar counter/foreign liquor store etc. with measurements.

j. Solvency Certificate.

VII. The location of the establishment for opening of BAR must satisfy the provision made under Rule 25 of the Tripura Excise Rules, 1990 made for on-shop.

VIII. The hotel should have minimum 15 single/double bedded rooms with carpet area of minimum 4000 sq. ft and restaurant attached of at least 500 sq.ft. with adequate parking facility.

IX. For grant of standalone Bar license, the premises should be of at least 2000 sq. ft. with a restaurant attached and adequate parking facility.

X. Separate toilet facility for males and females, adequate lighting facility and adequate firefighting arrangements should be available in BAR premises.

XI. The premise and neighborhood should be secure from security point of view.

XII. The Collector after being satisfied with the enquiry will grant the license to the applicant with the prior approval of the Government and after receipt of the license fees.

XIII. In special circumstances, the collector of excise citing reasons thereof may grant license to any person(s) or society, as the case may be with prior approval of the Government fixing terms and conditions thereof.

4. **Dry Days:**

The "Dry Days" shall be observed as prescribed under the Tripura Excise Rules, 1990.

5. **Fee details:**

The applicant is liable to pay the following types of fee at the rate notified by the State Government from time to time:

i. Application fee

ii. Application clearance fee

iii. License fee

iv. Renewal fee

v. Excise duty, Literage Fee

vi. Additional enclosure fee

vii. Shifting fee

viii. Fee on transfer of license

6. **Period of license:**

The Bar license shall be granted for a period of 1(one) financial year at a time or for any shorter period. However, period of bar license can be extended by the Collector of Excise with the prior approval of the Commissioner of Excise.

7. **Terms and conditions:**

a). The licensee shall exhibit the license issued by the Collector of Excise in a prominent location on the licensed premises. The licensee shall not exhibit in the license premises, pictures and photographs of Mahatma Gandhi or any serving or former President of India, the Prime Minister of India, the Governor of the State and the Chief Minister of the State.

b).The licensee shall submit statement of sale and purchase in prescribed returns periodically and maintain detailed account of transactions on day to day basis. The return shall be submitted to the Collector of Excise within 30 days of the next month. The licensee shall maintain an inspection note book, with pages numbered consecutively and hand it over on demand to any excise officer.

c).The licensee shall not compound, blend, colour or rectify any liquor sold by him or store in his license premises.

d). No sale of liquor shall bc made by any measure other than standard stamped measure approved by the Collector. The standard measure shall be proof litre or bulk and thc multiples thereof, and the licensee shall keep such stamped standard fractional measures or proof, or bulk liter as are available in the market and have been approved by the Collector.

e). The licensee shall not without the written permission of the Collector of Excise store any foreign liquor to be sold under this license in any premise other than the licensed one.

f). The licensee shall not under this license, sell foreign liquor and beer to any person on retail or whole sale.

g). The licensee shall employ person(s) for serving purpose following the criteria as prescribed under Section 23 of the Tripura Excise Act, 1987.

h). The licensee shall not permit following category of person for consumption of liquor/beer in his premises:-

(i). Minors under 21 years of age.

(ii). Insane person.

i). The licensee shall not prevent any Excise Officer not below the rank of Sub-Inspector of Excise from entering for inspection of his license premises at any time of the day or night to check that the licensee is keeping regular and correct accounts of his daily sale of liquor/beer.

j). The licensee shall not sublet his license or transfer his license to any other person without previous sanction of the Excise Collector. In case of transfer of license only the licensee can change but not the premises.

k). The licensee shall submit a list of all persons working in his bar immediately before making it functional and notify any change at once occurring in respect of workers concerned.

l). The licensee shall procure liquor/beer consignment from the existing Warehouse of the State.

8. The Commissioner of Excise, with the approval of the State Government, as it may think fit, restrict any category or specified class or specified persons or individuals from obtaining a license in public interest.

9. The Commissioner of Excise, with the approval of the State Government, may fix an upper limit on the number of BAR licenses to be issued, from time to time.

10. The Commissioner of Excise may issue/revise guidelines with the approval of the Government from time to time if necessary.

11. Details of fee and prescribed application formats etc. are annexed herewith in Annexure – I, II & III.

12. This Notification shall come into force on and from the date of its publication in the Tripura Gazette.

By order of the Governor,

19/8/19

(Nagesh Kumar B.)
Joint Secretary to the
Government of Tripura.

Enclo:- As stated.

ANNEXURE-I

Application for BAR license

1.	Name of the applicant	:	
2.	Full residential address	:	
3.	Details of prior clearance	:	
4.	Details of hotel license issued by competent local authority.	:	
5.	Details of premises to be licensed.	:	
6.	His experience in this business if any.	:	
7.	Details of any licenses held by him.	:	
8.	Details of challan	:	

I hereby, declare that the particulars given above are true to the best of my knowledge and believe. If at a later stage, any of the facts are found to be fault the licenses may be cancelled as per provision laid down in the Tripura Excise Act, 1987 and Rules made thereunder.

I hereby, undertake to abide by Rule and license conditions prescribed under Tripura Excise Act & Rules made thereunder.

(Signature of the applicant)

ANNEXURE-II

Declaration by the Applicant for Application Clearance

1.	Name of the applicant	:	
2.	Full residential address	:	
3.	Details of Hotel with registration particulars/ licenses issued by competent authority	:	
4.	Details of area of the premises to be licensed and its location	:	
5.	Details of any other licenses held by him.	:	
6.	Date on which he likely to commence on business	:	
7.	Details challan of application fees	:	

I hereby, declare that the particulars given above are true to the best of my knowledge and believe. If at a later stage, any of the facts are found to be incorrect, the license may be cancelled as per provision laid down in the Tripura Excise Act, 1987 and Rules made thereunder.

I hereby, undertake to abide by the Rules, license conditions and any other conditions as laid down by the Government, prescribed under Tripura Excise Act & Rules made thereunder.

(Signature of the applicant)

ANNEXURE-III

Fees for BAR license

(Figures in Rs. and lakhs)

Sl. No.	Name of the Fee.	Rate of Tripura.
1.	Application fee.	0.01
2.	Application clearance fee.	0.05
3.	License fee.	5.00 per annum
4.	Renewal fee.	Increase @ 5% of the last License fee.
5.	Excise duty, Literage Fee	As per existing rate.
6.	Additional enclosure fee.	10% of License fee.
7.	Shifting fee.	0.10
8.	Fee on transfer of license.	10% of License fee.